

IN RE: PETITION FOR ZONING VARIANCE  
N/S River Drive Road, 110' W  
of the c/l of Green Hill Road  
(6708 River Drive Road)  
15th Election District  
7th Councilmanic District  
Dennis E. Fisher, et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 92-200-A

#### AMENDED ORDER

WHEREAS, the Petitioners requested a variance from Section 415.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two recreational vehicles (boats) to be located in the front yard in lieu of the one permitted recreational vehicle located in the rear yard or 8 feet from the lateral projection of the front foundation line of a dwelling, in accordance with the plan submitted and identified as Petitioner's Exhibit 1; and,

WHEREAS, by Order issued December 11, 1991, the relief requested was denied;

WHEREAS, by letter received December 20, 1991 the Petitioners requested a reconsideration of the matter and following a review of the testimony and evidence submitted, a modification of the relief requested is determined to be appropriate in this instance;

IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 9<sup>th</sup> day of January, 1992 that the Order issued December 11, 1991 be and the same is hereby AMENDED as follows:

THAT the Petition for Zoning Variance from Section 415.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two recreational vehicles (boats) to be located in the front yard in lieu of the one permitted recreational vehicle located in the rear yard or 8 feet from the later-

al projection of the front foundation line of the dwelling, be and is hereby GRANTED, subject to the following restrictions:

1) The relief granted herein is limited to the out-side storage of the 24-foot Sportcraft pleasure boat in the front yard adjacent to the garage and the storage of the 14-foot Owens boat inside the garage. The Petitioner is prohibited from storing any boat between the garage and the dwelling. The 24-foot boat shall be permitted to be stored outside in the prescribed location only from December 1st until May 1st of any given year.

2) Although this variance grants the Petitioner the right to store two recreational vehicles (boats) in his front yard, one recreational vehicle (boat) must be stored at all times within the fully enclosed garage. The Petitioner is prohibited from storing any recreational vehicle (boat) outside on his property for the months of May through and including November of any given year.

3) Within thirty (30) days of the date of this Order, Petitioner shall submit a revised site plan incorporating the modified relief granted herein and depicting the exact location for the permitted outside storage of the 24-foot Sportcraft boat for the limited time period specified above.

4) The relief granted herein is conditioned upon Petitioners' compliance with Chesapeake Bay Critical Areas Requirements as determined by the Department of Environmental Protection and Resource Management (DEPRM) upon completion of their findings.

5) The relief granted herein is limited to the Petitioners and shall not be transferable to any subsequent purchaser or transferee of the subject property.

TMK:bjs

cc: Mr. & Mrs. Dennis E. Fisher  
6708 River Drive Road, Baltimore, Md. 21219

Mrs. Olga Martinez  
6704 River Drive Road, Baltimore, Md. 21219

Chesapeake Bay Critical Areas Commission  
Tawes State Office Building, D-4, Annapolis, Md. 21404

DEPRM; People's Counsel; File

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IN RE: PETITION FOR ZONING VARIANCE  
N/S River Drive Road, 110' W  
of the c/l of Green Hill Road  
(6708 River Drive Road)  
15th Election District  
7th Councilmanic District  
Dennis E. Fisher, et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 92-200-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 415.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two recreational vehicles (boats) to be located in the front yard in lieu of the one permitted recreational vehicle located in the rear yard or 8 feet from the lateral projection of the front foundation line of a dwelling, as more particularly described on Petitioner's Exhibit 1.

The Petitioners, by Dennis Fisher, appeared and testified. No Protestants appeared at the hearing.

Testimony indicated that the subject property, known as 6708 River Drive Road, consists of 7500 sq.ft. zoned D.R. 5.5 and is improved with a single family dwelling, storage shed, play house, swimming pool, stationary clothesline, and two-car garage as depicted on Petitioner's Exhibit 1. Said property is located within the Chesapeake Bay Critical Areas on Back River. This property was the subject of prior Case No. 84-330-A in which Petitioners were granted a variance for the subject 26' x 26' garage in the front yard of their property. Petitioners filed the instant Petition to legalize the storage of two boats on their property. Testimony indicated that Petitioners own a 24-foot Sportcraft pleasure boat which is stored during winter months in the front yard adjacent to the garage as indicated on Petitioner's Exhibit 1. Testimony further

ORDER RECEIVED FOR FILING

Date 1/9/92  
By [Signature]

Indicated that Petitioners also own a 14-foot Owens pleasure boat which is currently stored inside the garage. Mr. Fisher testified that he has been in the process of restoring this boat for the past 5 years and that he is desirous of moving this boat outside to a location between his house and the garage. Petitioners submitted photographs of their property, marked Petitioner's Exhibits 2 and 3, which depict the layout of the property and the location of existing improvements thereon. One of the photographs in Petitioner's Exhibit 3 depicts a third boat parked in the front yard adjacent to the garage in the area where the Sportcraft boat is stored during winter months. Mr. Fisher stated that this boat belongs to a friend whom he has been trying to contact for some time to remove the boat from his yard. Testimony and evidence presented indicated that Petitioners are unable to store both boats inside the garage as Mr. Fisher uses one side of the garage as a workshop. Further testimony indicated that both boats cannot be stored in either side yard due to the narrow width of the lot.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

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Date 1/9/92  
By [Signature]

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Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, there is insufficient proof to allow a finding that the Petitioners would experience practical difficulty or unreasonable hardship if the requested variance were denied. In the opinion of this Deputy Zoning Commissioner, this property is overburdened with residential and accessory improvements. Petitioner already has five accessory structures on his property, including a 26' x 26' two-car garage for which a variance has already been granted. Petitioner now seeks an additional variance to permit two recreational vehicles to be stored in his front yard. The Petitioners have failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Therefore, the variance requested must be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11<sup>th</sup> day of December, 1991 that the Petition for Zoning Variance from Section 415.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two recreational vehicles (boats) to be located in the front yard in lieu of the one permitted recreational vehicle located in the rear yard or 8 feet from the lateral projection of the front foundation line of a dwelling, in accordance with Petitioner's Exhibits 1, 2 and 3, be and is hereby DENIED.

[Signature]  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date 1/9/92  
By [Signature]

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Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

December 11, 1991

Mr. & Mrs. Dennis E. Fisher  
6708 River Drive Road  
Baltimore, Maryland 21219

RE: PETITION FOR ZONING VARIANCE  
N/S River Drive Road, 110' W of the c/l of Green Hill Road  
(6708 River Drive Road)  
15th Election District - 7th Councilmanic District  
Dennis E. Fisher, et ux - Petitioners  
Case No. 92-200-A

Dear Mr. & Mrs. Fisher:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

[Signature]  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mrs. Olga Martinez  
6704 River Drive Road, Baltimore, Md. 21219

People's Counsel

File

Chesapeake Bay Critical Areas Commission  
Tawes State Office Building, D-4, Annapolis, Md. 21404

DEPRM



## Petition for Variance

to the Zoning Commissioner of Baltimore County

92-200-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 415A.1 - to allow two recreational vehicles (boats) in the front yard in lieu of one recreational vehicle located 8' behind the lateral projection of the front foundation line.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

To keep two of my personal boats in front yard, instead of back yard.  
A) As precedent I state zoning case 84-330-A.  
B) I can't keep boats in rear yard. There isn't enough room to traverse on either side of house. i.e., 9'10" on one side 7' on the other side. Because of the narrowness of lot it's impossible to put them in the back. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Dennis E. Fisher

(Type or Print Name)

Dennis E. Fisher

Signature

Barbara A. Fisher

(Type or Print Name)

Barbara Ann Fisher

Signature

6708 River Drive Rd. 477

Address

BALTO. MD. 21219

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

Phone No.

ORDER RECEIVED FOR FILING

Date 1/9/92

By [Signature]

ESTIMATED LENGTH OF HEARING (1/2HR) + 1HR.

AVAILABLE FOR HEARING

MON./TUES./WED. - BEST TWO MONTHS

ALL OTHER

REVIEWED BY: 16 DATE 1/14/92

92-200-A

BEGINNING AT A POINT ON THE NORTH EAST  
SIDE OF RIVER DRIVE ROAD WHICH IS 40'  
WIDE AT THE DISTANCE OF 110' NORTH  
WEST OF THE CENTERLINE OF THE NEAREST  
IMPROVED INTERSECTING STREET GREEN HILL  
ROAD WHICH IS 40' WIDE BEING  
LOT # 0008, BLOCK # 00K SECTION # -  
IN THE SUBDIVISION OF LYNCH POINT  
AS RECORDED IN BALTO COUNTY PLAT BOOK # 08  
Folio # 038 CONTAINING (0.17 Acreage) OR  
7500 SQ FEET. ALSO KNOWN AS 6708 RIVER  
DRIVE ROAD AND LOCATED IN THE 15TH  
ELECTION DISTRICT.

CRITICAL AREA

208

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 1524 Date of Posting: 11/22/91  
Posted for: Variance  
Petitioner: Dennis E. Fisher, et ux  
Location of property: 113 River Drive Rd. 110' W of c/1 Green Hill Rd.  
6708 River Drive Rd.  
Location of Sign: 113 River Drive Rd. 110' W of c/1 Green Hill Rd.  
113 River Drive Rd. 110' W of c/1 Green Hill Rd.  
Remarks: 113 River Drive Rd. 110' W of c/1 Green Hill Rd.  
Posted by: 113 River Drive Rd. 110' W of c/1 Green Hill Rd.  
Number of Signs: 1

**CERTIFICATE OF PUBLICATION**

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov 21, 1991.

NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER

Publisher

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., Nov 25, 1991  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov 21, 1991.

THE JEFFERSONIAN.

Publisher

**BALTIMORE COUNTY, MARYLAND**  
OFFICE OF FINANCE, REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 1-22-92 ACCOUNT: R-001-6150  
AMOUNT: \$ 2.00  
RECEIVED FROM: Photocopy  
FOR: Photocopy  
VALIDATION OR SIGNATURE OF CASHIER: 10.00

**receipt**

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150  
Number

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

DATE: 11-26-91

Dennis and Barbara Fisher  
6708 River Drive Road  
Baltimore, Maryland 21219

RE:  
CASE NUMBER: 92-200-A  
113 River Drive Road, 110' W of c/1 Green Hill Road  
6708 River Drive Road  
15th Election District - 7th Councilmanic  
Petitioner(s): Dennis E. Fisher, et ux  
HEARING: TUESDAY, DECEMBER 10, 1991 at 9:00 a.m.

Dear Petitioner(s):

Please be advised that \$ 95.76 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

*Carl J. Jarrow*

ARNOLD JARROW  
DIRECTOR

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

NOVEMBER 10, 1991

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-200-A  
113 River Drive Road, 110' W of c/1 Green Hill Road  
6708 River Drive Road  
15th Election District - 7th Councilmanic  
Petitioner(s): Dennis E. Fisher, et ux  
HEARING: TUESDAY, DECEMBER 10, 1991 at 9:00 a.m.

Variance to allow two recreational vehicles (boats) in the front yard in line of one recreational vehicle located 8 feet behind the lateral projection of the front foundation line.

*Lawrence E. Schmidt*  
Lawrence E. Schmidt

Zoning Commissioner of  
Baltimore County

cc: Dennis E. Fisher, et ux

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

November 22, 1991

Mr. & Mrs. Dennis Fisher  
6708 River Drive Road  
Baltimore, MD 21219

RE: Item No. 208, Case No. 92-200-A  
Petitioner: Dennis E. Fisher, et ux  
Petition for Variance

Dear Mr. & Mrs. Fisher:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Zoning Plans Advisory Committee Comments  
Date: November 22, 1991  
Page 2

- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 24th day of October, 1991.

*Carl J. Jarrow*  
ARNOLD JARROW  
DIRECTOR

Received By:

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

Petitioner: Dennis E. Fischer, et ux

Petitioner's Attorney:



BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Bertoldi Property, Item No. 172  
Koss Property, Item No. 192  
Pitts Property, Item No. 193  
Weimer Property, Item No. 196  
Frey Property, Item No. 197  
Goodwin Property, Item No. 198  
Pettit Property, Item No. 199  
McQuain Property, Item No. 200  
Osment Property, Item No. 201  
Shapiro Property, Item No. 203  
Chaney Property, Item No. 204  
Collieran Property, Item No. 207  
Fisher Property, Item No. 208  
Wilson Property, Item No. 211

In reference to the petitioners' request, the staff offers  
no comments.

If there should be any further questions or if this office can  
provide additional information, please contact Jeffrey Long in the  
Office of Planning at 887-3211.

PK/JL/rdn  
ITMS172/TXTROZ

BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: November 20, 1991

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management

FROM: Rahee J. Famili  
Traffic Engineer II

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: November 5, 1991

This office has no comments for item numbers 201, 203, 204, 205, 206,  
207, 208 and 211.

*Rahee J. Famili*  
Rahee J. Famili  
Traffic Engineer II

RJF/lvd

Baltimore County Government  
Fire Department

700 East Joppa Road, Suite 901  
Towson, MD 21204-5500

(301) 887-4500

NOVEMBER 20, 1991

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: DENNIS E. FISHER  
Location: #6708 RIVER DRIVE ROAD  
Item No.: 208 Zoning Agenda: NOVEMBER 5, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by  
this Bureau and the comments below are applicable and required to be  
corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *[Signature]* Noted and Approved *[Signature]*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JP/KEK

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting  
for November 5, 1991

The Developers Engineering Division has reviewed  
the subject zoning items and we have no comments for  
Items 201, 203, 204, 205, 206, 207, 208, and 209.

For Item 211, the lot dimensions shown on the plat  
do not agree with Plat Book 14, Folio 11.

*[Signature]*  
ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

RWB:s

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management

FROM: J. James Dieter, Director

SUBJECT: Petition for Zoning Variance - Item 208  
Fisher Property  
Chesapeake Bay Critical Area Findings

SITE LOCATION

The subject property is located at 6708 River Drive Road. The  
site is within the Chesapeake Bay Critical Area and is classified as an  
Intensely Developed Area (IDA).

APPLICANT'S NAME Mr. and Mrs. Dennis Fisher

APPLICANT PROPOSAL

The applicant has requested a variance from section 415A.1 of the  
Baltimore County Zoning Regulations to permit "two recreational  
vehicles (boats) in the front yard in lieu of one recreational vehicle  
located eight feet behind the lateral projection of the front  
foundation line".

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all  
project approvals shall be based on a finding which assures that  
proposed projects are consistent with the following goals of the  
Critical Area Law:

1. Minimize adverse impacts on water quality that result from  
pollutants that are discharged from structures or conveyances  
or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake  
Bay Critical Area which accommodate growth and also address  
the fact that even if pollution is controlled, the number,  
movement, and activities of persons in that area can create  
adverse environmental impacts." <COMAR 14.15.10.01.02>

Memo to Mr. Arnold Jablon  
December 20, 1991  
Page 2

DEFINITIONS

(21) "Development activities means the construction or substantial  
alteration of residential, commercial, industrial, institutional, or  
transportation facilities or structures." COMAR 14.15.01.01

REGULATIONS AND FINDINGS

Regulation: "New development and redevelopment within the IDA  
shall use Best Management Practices or other technology which  
reduces pollutant loadings by 10% of the on-site level prior to  
new development or redevelopment." <Baltimore County Code Sec.  
22-216>

Finding: This project is not considered a development activity  
in accordance with the definition above, therefore a Critical Area  
Findings is not required.

CONCLUSION

This proposal does not require a Chesapeake Bay Critical Area  
Findings, as stated above. If there are any questions, please contact  
Ms. Patricia M. Farr at 887-2904.

JJD:NSP:ju  
Attachment

FISHER/TXTNNS

*[Signature]*  
James Dieter, Director

CRITICAL

IN RE: PETITION ZONING VARIANCE  
NE/S of River Drive Road, 110'  
NW of the centerline of Green  
Hill Road (6708 River Drive  
Road) - 15th Election District  
Dennis Fisher, et ux,

Petitioners \*

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 84-330-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit an accessory building  
(garage) to be constructed in the front yard instead of the required rear yard,  
as more fully described on Petitioners' Exhibit 3.

The Petitioners appeared and testified. Appearing and testifying as Pro-  
testants were Olga Martinez and Elsie Perzinski, adjoining property owners, as  
well as their husbands and Howard Hall, another neighbor.

The Petitioners have owned the waterfront property for approximately five  
years. In November, 1983, they applied at the County satellite office in Essex  
for a building permit to construct a garage on their property, zoned D.R.5.5.  
At that time, they were told that their front yard faced the water and that  
their rear yard faced River Drive Road. The garage was to be constructed in  
what they were advised was the rear yard. Four months later, after completing  
about 75% of the garage, the Petitioners learned that the permit was issued in  
error inasmuch as the front yard faced River Drive Road and not the water. They  
were advised that they would need a variance.

The Petitioners noted that within five homes of their property, two have  
garages on River Drive Road and one has a garage on the water. They also point-  
ed out that along River Drive Road, a long, winding roadway, there are 99 homes  
on the water, 50 of which have garages on the road side. Four other homes have  
garages on the water side.

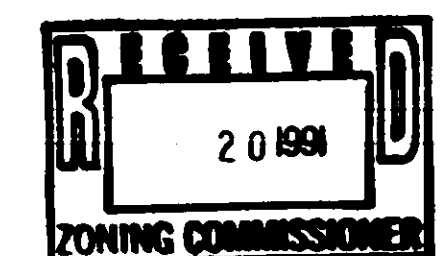
Exhibit in Case # 92-200-A  
Pg 1 of 4  
208

Dennis E Fisher  
6708 River Drive Rd  
Baltimore MD 21219  
Case # 92-200-A  
12/27/91

Dear Mr. Kotroco,

As per our conversation on Monday,  
Dec 16, 1991, I'm writing this letter to ask  
for your reconsideration on your decision of  
my variance. I can understand the ruling  
on the sm 14' boat for it will fit in the  
garage out of sight. As for the 24' Sportcraft,  
that is where I need your understanding.  
I do not have any place to keep the boat  
during off season. It will not fit in the  
garage like the sm 14' boat or on the side  
of the house because of its size. It can  
not stay on the boat lift over the winter  
because my floating pier is put there so  
the ice won't crush it.

I can't afford to keep it at a marina  
or try to refit the appeal. I also  
work for BALTIC Co. at the County Garage  
with as you know with out any  
significant pay raise for the past 2 years



# Case 92-200-A Fisher  
 To whom it may concern: LES  
 I live next store to 6708  
 River Drive Rd. where he has  
 a zoning sign asking to back  
 two boats in his front yard.  
 I living there 32 yrs and  
 him 9 yrs, I have to look at  
 two back yards, because he  
 has things anywhere he finds  
 room. He has no front yard  
 that looks like a front yard.  
 my clothes line is by  
 my fence, and has been there  
 since we moved into this  
 house. I have no hard feel-  
 ing with Mr. Fisher, but I  
 do not want a boat sitting  
 on my fence near my lines.  
 One boat that has a  
 front yard that has a  
 two car garage, sitting at  
 station (one use's)  
 (over)

